



TOWN OF TEWKSBURY BOARD OF HEALTH

Raymond Barry, Chairman
Robert Scarano, Vice Chair
Maria Zaroulis, Clerk
Charles Roux, Member
Anthony Boschetti, Member

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEETING MINUTES February 17, 2022

The meeting was called to order by Raymond Barry, Chairman, at 6:00 p.m. Present at the meeting were Robert Scarano, Vice-Chair, Maria Zaroulis, Clerk and Charles Roux, member. Also in attendance was Shannon Gillis, Director of Public Health. Member Anthony Boschetti was not in attendance.

Approval of Meeting Minutes

- **August 26, 2021 Show Cause Hearing meeting minutes presented for approval**

MOTION: Ms. Zaroulis made the motion to approve the August 26, 2021 show cause hearing meeting minutes; seconded by Mr. Roux and the motion unanimously carried 4-0.

- **January 14, 2022 emergency meeting minutes presented for approval**

MOTION: Ms. Zaroulis made the motion to approve the January 14, 2022 emergency meeting minutes; seconded by Mr. Roux and the motion unanimously carried 4-0.

- **January 20, 2022 meeting minutes presented for approval**

MOTION: Ms. Zaroulis made the motion to approve the January 20, 2022 meeting minutes; seconded by Mr. Roux and the motion unanimously carried 4-0.

New Business:

- **Annual Re-appointment of Health Agents:**
Shannon Gillis, Director of Public Health
Michele Grant, Sanitarian

MOTION: Ms. Zaroulis made the motion to re-appoint Shannon Gillis and Michele Grant as health agents; seconded by Mr. Roux and the motion unanimously carried 4-0.

- **Appointment of Health Agent Vincent Goo**

Mr. Barry stated that Mr. Goo is the part-time health inspector who is part of the tri-town public health grant.

MOTION: Ms. Zaroulis made the motion to appoint Vincent Goo as a health agent; seconded by Mr. Roux and the motion unanimously carried 4-0.

- **Appointment of Special Health Agent Laura Vlasuk**

Mr. Barry stated that Ms. Vlasuk is a new person working with Ron Beauregard, Tobacco Control Agent.

MOTION: Ms. Zaroulis made the motion to appoint Laura Vlasuk as a special health agent; seconded by Mr. Roux and the motion unanimously carried 4-0.

Mr. Barry stated that employees who work for the Health Department are appointed as health agents while those who assist are appointed as special health agents.

- **Jessica Fitzmaurice, Aesthetics Exchange Skin Care, 1215 Main St.-** Discussion of proposed business expansion

Present was Jessica Fitzmaurice, owner of Aesthetics Exchange Skin Care, 1215 Main St. Unit 125 & Unit 126. Ms. Gillis stated that the Board of Health issued a variance in March 2018 for the body art regulation section 9.1.7 and 9.1.12 hand and mop sink requirements. The existing facility does not have a hand sink in the room where the permanent makeup procedure takes place but there is a sink 7 ft. outside the door of the permanent makeup room. The variance stated that when the permanent makeup procedure is performed, there will only be one client and one practitioner in the room and the door needs to remain open. There is a maximum of two clients per day. The variance was based on the existing floor plan. There is no mop sink in the existing establishment. There has been expansion to the business upstairs above the existing unit. There is now one room with a sink located inside the room. This changes the existing conditions of this variance. Ms. Fitzmaurice expanded her business to the upstairs unit and is looking to use the room upstairs that has a sink to do permanent makeup procedures. Ms. Gillis stated that there weren't permits pulled for the work, so a plan was not seen of the new space until the work had already been completed. Currently, there have been permits applied for and Ms. Gillis did view the new space with a Board member. The permits are being held until there is an approval from the Health Department. Ms. Gillis explained the inspection that her and a Board member completed. There is a hand sink in the room where the permanent makeup will be performed. However, there isn't a mop sink, but there is room for it. The hand sink is accessible and Ms. Gillis stated that this is a better space to perform the permanent makeup. Mr. Barry asked if Dr. Boschetti, the Board member who went on the inspection, was fine with the location of the sink. Ms. Gillis stated that she believed so. Mr. Roux asked if the upstairs business was already constructed or if it was constructed to fit the business. Ms. Gillis stated that she did not see the space preconstruction. Mr. Roux stated that if permits were pulled, the Health Department could have had input on where the sink would be located and the existing permit has a variance on it. A variance cannot be modified or eliminated. Mr. Barry stated that the business owner would normally approach the building department and health department with plans asking for a review in order to be in compliance with state and local regulations. The Health Department is being asked to approve something that is already in place. Ms. Fitzmaurice stated that nothing was built to fit her needs, old sinks and lights were changed out. No new plumbing was added or moved. The previous owner had bathrooms that were turned into closets and the new sink is in an old closet which already had the plumbing in it. Ms. Fitzmaurice stated that the permit was her oversight. She had a designer coordinating the plumber and electrician and assumed everything was done. She would never intentionally not pull a permit. She also stated that the three rooms downstairs will be used for skin procedures and the upstairs rooms will be used for cosmetic injectables and permanent makeup, the procedures Dr. Shektman oversees. Ms. Gillis stated that Dr. Shektman is aware of the new

space. A discussion took place regarding the existing variance and permitting. Mr. Scarano asked Ms. Fitzmaurice to submit a narrative so the Board has an idea what the operation will be downstairs. The Board would look at the downstairs as a non-substantial plan. The operation upstairs is considered new. Ms. Fitzmaurice asked if the existing common area sink could be used as a mop sink since it is deep and big enough. If a mop sink needs to be installed, the only place to put it would be inside the permanent makeup room where the sink is. Ms. Gillis asked what is the use of the common area sink? Ms. Fitzmaurice stated that it is a handwashing sink. Ms. Gillis stated to avoid cross contamination, the Department would prefer a separate mop sink. A discussion ensued regarding the mop sink. Mr. Barry stated that in his opinion, it would make more sense to have the mop sink located outside that procedure room so it could be used at any time by the other employees. Mr. Scarano suggested that the applicant speak with her plumber and contractor to find out if the Board's suggestions are capable of being completed for the operation. A discussion ensued again regarding the issuance of the permit and the existing variance. Ms. Fitzmaurice reviewed the operations of the new space. Mr. Scarano stated that the variance for the downstairs needs to stay in place as there isn't a mop sink or a hand sink inside the room. The new space upstairs will be in compliance with the addition of the mop sink and would not need a variance. Ms. Zaroulis asked Mr. Scarano for clarification. More discussion ensued. Mr. Barry stated that a request to modify the variance was applied for on November 21, 2019 to include two practitioners in the room as Shannon Lightell was applying as an apprentice under Ms. Fitzmaurice. Ms. Lightell now has a practitioner's license. Ms. Fitzmaurice explained the reasoning behind moving Ms. Lightell's operation to the new space. Mr. Roux asked Ms. Fitzmaurice if she was running a school to which Ms. Fitzmaurice stated she was not. Ms. Lightell approached the table and discussed her training in permanent makeup and esthetics. Mr. Barry stated that there are no national standards or guidelines regarding permanent makeup so it is left up to each individual community as to do what is best. The Board is looking to set up the gold standards. Mr. Scarano stated that the Board relies on the applicant to be properly trained to make sure there are no mishaps and the Board has an underlying duty to public to make sure that the facilities are as close to perfect as possible. Mr. Barry stated that the Board wants to head off any potential problems that could happen. Mr. Scarano stated that the current operation can continue with the variance in place and again requested a narrative from the applicant. If Ms. Gillis is happy with speaking with Dr. Shetkman then that could be sufficient. The only thing that would be required for the upstairs is a permit because the variance does not cover the upstairs operation. Mr. Barry stated that before the permit can be granted the mop sink needs to be installed. Mr. Roux stated that the applicant also needs to follow up with the Building Department. Ms. Fitzmaurice asked if there was a way to hold off on the permanent makeup room and sign off on the other two rooms so the Building Department could go in since this is becoming a financial burden. Mr. Barry stated that the hold up is where the mop sink will be located. This needs to be approved and permitted before the other rooms can be signed off on. Ms. Fitzmaurice stated that the only location for a mop sink would be in the permanent makeup room next to the hand sink. Ms. Gillis asked if the location of the mop sink could be approved administratively so that way the process can continue going forward. Mr. Scarano stated that this could be done and the applicant does not have to come back before the Board. The Board wants the applicant in compliance. Mr. Barry stated that he would also like Dr. Shetkman to weigh in on the location of the mop sink next to the hand sink and about whether he would

be concerned about potential cross contamination. Mr. Barry also stated that the applicant should provide the narrative for the use upstairs and to indicate that only permanent makeup will be performed in the room that has the sink. Ms. Gillis suggested adding the additional unit to their existing permit. No variance is needed and no motion is necessary.

➤ **2022 Fee Schedule**

This approval was overlooked due to Covid. No changes were made to the fee schedule and the fee schedule is submitted for the current year.

MOTION: Mr. Scarano made the motion to adopt the fee schedule as submitted; seconded by Mr. Roux and the motion unanimously carried 4-0.

Old Business:

➤ **Oliveira Farm update**

Ms. Gillis stated that she sent an email to Tina and Attorney Lawlor about a week ago. The Board is willing to put a hold on the accruing fines if there is an application for an animal permit for the animals that are currently on the property without a permit and to come before the Board of Health on March 17, 2022. The paperwork needs to be submitted by February 25, 2022. Mr. Barry stated that the owner of the animals as well as the property owner or legal representative of the property owner needs to attend the hearing. The property owner is ultimately responsible for what happens to the animals if the animal owner is not able to take care of them. The Board will be looking for an animal care plan since the owner of the animals does not reside on the property. What will the upkeep of the animals be as well as putting together an animal exit plan so the logistics as well as the costs is understood. When the applicant comes before the Board, Town Council Kevin Feely will be asked to attend and would strongly suggest Attorney Lawlor attend as well. Mr. Scarano stated that this is a joint venture between owner and animal owner. The Board wants a plan including everything from entrance to exit and everything in between as well as including who the veterinarian is in case of emergency. Approval by the Board will be based on the application and presentation just like any other application that comes before the Board. Ms. Zaroulis asked how many animals were still on the property. Ms. Gillis stated she believes that there are two ponies, a goat, a couple hens and a rooster. Mr. Roux stated that there are no slaughter animals on site, only pets. Mr. Barry stated that when the ducks and fowl were ordered to be removed from the property, it had been reported that several ducks and fowl were unable to be caught. The ACO's had determined that all the "feathered critters" were technically slaughter chain animals since they were cross contaminated.

Director Reports:

➤ Ms. Gillis stated that the lead school nurse conducted an investigation looking into a cluster of type one diabetes in children and opened an investigation with the Department of Public Health. Mr. Barry stated that the area is about a mile away from the Sutton Brook area and included six students in a very small radius. Mr. Scarano stated that there is connection to Sutton Brook right now. The investigation is ongoing. The Department of Public Health will investigate and get back to the Board with their findings. If there is a public threat, the Board would report it to the public. Mr. Barry stated that type one diabetes could be virus borne and may not be environmental.

➤ **Covid numbers update**

There were twenty cases this week, down twenty-three from the previous week. There is a significant downward trend.

➤ **Annual Town Report submitted to the Town Manager**

Annual Town Report was submitted to Town Manger last week.

Ms. Gillis received an email this afternoon from Pamela Thomas, Animal Inspector, regarding a Tewksbury Community Cluckers meeting she will be holding on March 22, 2022. This is an information talk for residents that have hens.

➤ **Frozen Dessert permit renewal**

Renewals are due March 1, 2022. An email was sent to seasonal ice cream establishments reminding them that a pre-operational inspection is needed before opening and before a permit to operate is issued. Mr. Barry stated that he is hoping to get the Frozen Dessert regulation and the Food Establishment regulation ready to vote on for the March meeting. Mr. Scarano is waiting on a response from a manufacturer regarding the pre-inspection protocol. Mr. Barry asked if this information would be put into the regulation or if it more on the administrative side. A discussion ensued.

Board Reports:

- Mr. Barry stated that Ms. Zaroulis and Dr. Boschetti are not running for re-election. Ms. Zaroulis is the Board's representative on Tewksbury Cares. Mr. Barry stated that he didn't believe that the charter stipulates that board members on Tewksbury Cares must be residents. He will find out. If that's the case, he was hoping that Ms. Zaroulis would be willing to stay on the Board of Tewksbury Cares. Ms. Zaroulis stated she would be willing to. Ms. Zaroulis stated that Tewksbury Cares hasn't been very active due to Covid but is hoping that Tewksbury Cares can now be revitalized sometime in the spring.

Announcements:

Adjourn:

MOTION: Mr. Roux made the motion to adjourn; seconded by Mr. Scarano and the motion unanimously carried 4-0. Meeting adjourned at 7:09 pm.

Approved on: 3/17/22

List of documents for February 17, 2022
Documents are located at the Tewksbury Health Department

Approval of Minutes:

August 26, 2021 Show Cause Hearing
January 14, 2022 Emergency Meeting
January 20, 2022 Monthly Meeting

New Business:

Aesthetics Exchange packet
Fee Schedule

Director Reports:

2021 Annual Report